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2 Scott M. De Nardo, State Bar No. 216749
3 Benjamin K. Lunch, State Bar No. 246015
4 NEYHART, ANDERSON, FLYNN & GROSBOLL
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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 (San Francisco Division)

13 LOCAL 234 of the INTERNATIONAL
14 BROTHERHOOD OF ELECTRICAL
15 WORKERS, AFL-CIO; et al.,

16 Plaintiffs,

17 vs.

18 ADM ELECTRIC, INC., a California
19 Corporation; and, G. DEAN ALLEMAND, an
20 Individual,

21 Defendants.

Case No. C-07-4079 SC

**DECLARATION OF SCOTT M. DE
NARDO IN SUPPORT OF MOTION
FOR DEFAULT JUDGMENT AGAINST
DEFENDANTS ADM ELECTRIC, INC.
and G. DEAN ALLEMAND**

[F.R.C.P. Rule 55(a)]

Date: April 25, 2008
Time: 10:00 a.m.
Courtroom: 1, 17th Floor
Location: 450 Golden Gate Ave
San Francisco, CA 94102
Judge: Hon. Samuel Conti

DECLARATION OF SCOTT M. DE NARDO

I, Scott M. De Nardo, declare and state:

1. I am an attorney at law, licensed to practice before all of the courts of the State of California and a member of the bar of this Court. I am an attorney with the law firm of Neyhart, Anderson, Flynn & Grosboll, attorney for the LOCAL 234 of the INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO; INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS' UNION, LOCAL 234 EDUCATIONAL AND TRAINING FUND; ELECTRICAL WORKERS HEALTH & WELFARE TRUST FUND; INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS DISTRICT 9 PENSION PLAN; and, KEN SCHERPINSKI, as Trustee of the Plaintiff Trusts and Business Manager/Financial Secretary of I.B.E.W. Local 234 (hereinafter collectively referred to as the "Plaintiffs", "Trusts" or "Funds") in the above-captioned action. I make the following declaration based upon my knowledge, except as to those matters which are herein stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I can and would testify competently thereto.

2. In June 2006, the parties settled the above-captioned action pursuant to the terms and conditions of a Settlement Agreement that was executed by the Defendants on June 26, 2006. The terms and conditions of the Settlement Agreement specified that the Defendants agreed \$61,258.90 was owed the Plaintiffs (\$39,104.61 in principal, \$17,154.29 in liquidated damages and \$5,000 in attorneys fees), but would be paid in twenty-four monthly payments of \$300.00 due on the last day of each month commencing June 1, 2006. The Settlement Agreement also specified that Defendant ADM ELECTRIC, INC. ("ADM Electric") would make a "balloon" payment of \$54,058.90 on or before July 1, 2008. (*See*, Settlement Agreement, dated June 26,

1 2006, attached to the Complaint as Exhibit "C"). Defendant G. DEAN ALLEMAND also agreed
2 to be held personally liable for ADM Electric (Id. at page 3). The Settlement Agreement also
3 specified that the full Settlement amount of \$61,258.90 included attorneys' fees for the time
4 leading up to the signing of the Agreement. (Id. at page 1). Any attorneys' fees sought by this
5 Motion are thus for fees incurred after the date of the Agreement.
6

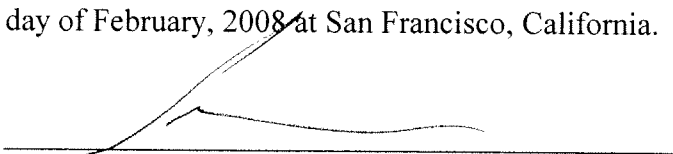
7 3. On December 4, 2007, ADM Electric's surety, Old Republic Surety Company, paid
8 \$4,000.00 to the Trusts pursuant to a claim by the Trusts against ADM Electric's California
9 Contractors State License Board Bond.

10 4. Pre-judgment interest is owed as follows: the \$61,258.90 owed under the terms of
11 the Settlement Agreement was for delinquencies from September 2003 to November 2005. For
12 purposes of this Motion, Plaintiffs calculate pre-judgment interest on this amount as accruing in
13 November 2005. That \$61,258.90 is reduced by the \$1,500.00 in payments made by Defendants
14 and the \$4,000.00 recovered via ADM Electric's California Contractors State License Board Bond.
15 Thus, pre-judgment interest on the \$55,578.90 remaining is \$12,042.10 through January 31, 2008
16 with an additional \$15.23 accruing per day until entry of judgment. Additionally, Plaintiffs are
17 owed \$438.03 in interest (through January 31, 2008) on the \$5,256.30 owed to the Health &
18 Welfare Trust from March 2007, with an additional \$1.44 accruing per day until entry of
19 judgment.
20
21

22 5. The Settlement Agreement between the parties provides that "the prevailing party
23 [in an action for a breach of the Settlement Agreement] shall be entitled to receive all costs and
24 expenses, including reasonable attorney's fees. . .". (Settlement Agreement, page 2, ¶ 3 attached to
25 the Complaint as Exhibit "C").
26
27

6. In this action, the Plaintiffs seek reimbursement for reasonable attorneys fees and costs. Currently, I bill the Plaintiffs for our services at the rate of \$195.00 per hour plus actual reimbursement for certain out-of-pocket costs. Out-of-pocket costs include technical costs, such as the filing or service fee, as well as non-technical costs, such as photocopies or postage. Other attorneys at my firm worked on this case, including Richard Grosboll, who bills Plaintiffs at the rate of \$225.00 per hour plus actual reimbursement for certain out-of-pocket costs, as well as Benjamin Lunch, who bills Plaintiffs at the rate of \$95.00 per hour plus actual reimbursement for certain out-of-pocket costs. (Attached hereto as Exhibit "A" are true and correct copies of monthly billing invoices from June 2006 through January 31, 2008 for this matter).¹ Through January 31, 2008, the firm expended 25.5 hours of my time and 0.5 hours of Mr. Grosboll's time, resulting in a total of \$4,697.70 in fees. This firm also expended \$1,203.56 in out-of-pocket costs. In addition to the amounts I have already billed Plaintiffs for my services related to this matter, I estimate² that Mr. Lunch will spend an additional nine (9) hours in research and preparing this motion. I estimate I will spend an additional four (4) hours in research, preparing and arguing this motion. Therefore, the total fees and costs sought is \$7,536.26, which includes this additional time. As a result, if these amounts are awarded, Plaintiffs will not claim any additional court technical costs.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Dated this 22th day of February, 2008 at San Francisco, California.


SCOTT M. De NARDO

¹ Exhibit "A" does not include billing records for November 2006, January 2007, February 2007, or January 2008 as no time was billed for those months.

² If the estimate substantially differs from actual time worked, I will advise the court of the actual time billed when the hearing is held.

Exhibit A

NEYHART, ANDERSON, FLYNN & GROSBOLL

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

44 MONTGOMERY STREET, SUITE 2080
 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 07/03/06
 Invoice : 56848
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 South Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 07/03/06
 Invoice: 56848

For Professional Services Rendered and Costs Advanced through 07/01/06

Date	Professional Services	Hours
05/24/06	SMD: Phone call with Mira Arizmendez RE: settlement payments and delinquency; receive and review fax from Mira RE: letter from ADM; review spreadsheet breakdown; receive and review email from Mira Arizmendez RE: delinquency.	0.40
06/05/06	SMD: Revise settlement agreement; draft letter to employer RE: same; receive and review email from Mira RE: collection.	0.30
05/08/06	SMD: Receive and review memo and fax from employer RE: settlement; review settlement agreement.	0.30
06/09/06	SMD: Receive and review fax from Dean Allemmand RE: payment on settlement agreement.	0.20
06/12/06	SMD: Further revise settlement agreement.	0.20
06/13/06	SMD: Receive and review email from Mira Arizmendez RE: payment and settlement agreement; revise and edit settlement agreement; draft letter to employer RE: same; phone call with Mira RE: same.	0.80
06/16/06	SMD: Receive and review fax from Dean Allemmand; revise settlement agreement; draft letter to Dean Allemmand RE: same.	0.40
06/23/06	SMD: Receive and review spreadsheet breakdown of LDs; phone call to Mira RE: same draft email to Mira Arizmendez.	0.30
06/27/06	SMD: Receive and review fax from Deal Allemmand RE: settlement.	0.20
06/29/06	SMD: Receive and review fax from Dean Allemmand RE: settlement agreement. (no charge)	0.20

EIN: 94-2576729

THE ABOVE INVOICE INCLUDES ONLY ITEMS ACTUALLY LISTED. OTHER ITEMS OF WORK PERFORMED, OR IN PROCESS, WILL BE INCLUDED IN SUBSEQUENT INVOICES

PLEASE RETURN ONE COPY OF THE CLIENT SUMMARY PAGES WITH YOUR REMITTANCE

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 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

IBEW 234 TRUST FUNDS
 07/03/06
 Page 2

Client: 30234.8
 Matter: 806
 Invoice: 56848

Date	Professional Services	Hours
	TOTAL Hours	3.30

Attorney	Hours	Rate	Amount
SCOTT DENARDO	0.20	N/C	No Charge
SCOTT DENARDO	3.10	165.00	511.50
	TOTAL Current Fees		\$511.50

Date	Costs Advanced	Amount
	COPYING COST	4.80
	PHOTOCOPIES	2.00
	POSTAGE	3.36
	TOTAL Current Costs	\$10.16

Current Invoice Due \$521.66

EIN: 94-2576729

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44 MONTGOMERY STREET, SUITE 2080
 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 08/01/06
 Invoice : 56908
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 South Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 08/01/06
 Invoice: 56908

For Professional Services Rendered and Costs Advanced through 07/31/06

Date	Professional Services	Hours
07/07/06	SMD: Phone call with Arizmendez RE: ADM settlement payments; review file; receive and review fax from Dean Allemand; phone call with Dean Allemand.	0.30
07/10/06	SMD: Receive and review settlement agreement executed; review file; draft letter to Bonding Company RE: claim and settlement check; draft email to Bernie Wall and Mike Bryant RE: settlement agreement; phone call with Mira Arizmendez RE: status of delinquency; draft report to trustees.	0.40
TOTAL Hours		0.70

Attorney	Hours	Rate	Amount
SCOTT DENARDO	0.70	195.00	136.50
TOTAL Current Fees			\$136.50

Date	Costs Advanced	Amount
	COPYING COST	0.60
	POSTAGE	1.17
TOTAL Current Costs		\$1.77

EIN: 94-2576729

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SAN FRANCISCO, CALIFORNIA 94104-6702

TEL: (415) 677-9440

FAX: (415) 677-9445

IBEW 234 TRUST FUNDS

08/01/06

Page 2

Client: 30234.8

Matter: 806

Invoice: 56908

Current Invoice Due \$140.27

=====

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ATTORNEYS AT LAW
44 MONTGOMERY STREET, SUITE 2080
SAN FRANCISCO, CALIFORNIA 94104-6702
TEL: (415) 677-9440
FAX: (415) 677-9445

Client : 30234.8
Matter : 806
Date : 09/01/06
Invoice : 57092
Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
1120 South Bascom Avenue
San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
Re: ADM ELECTRIC

Date: 09/01/06
Invoice: 57092

For Professional Services Rendered through 08/31/06

Date	Professional Services	Hours
08/02/06	SMD: Receive and review fax and memo from Dean Allemand.	0.30
	TOTAL Hours	0.30

Attorney	Hours	Rate	Amount
SCOTT DENARDO	0.30	165.00	49.50
	TOTAL Current Fees		\$49.50
	Current Invoice Due		\$49.50

EIN: 94-2576729

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 ATTORNEYS AT LAW
 44 MONTGOMERY STREET, SUITE 2080
 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 10/02/06
 Invoice : 57265
 Attorney: DICK GROSBOLL

IREW 234 TRUST FUNDS
 1120 South Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IREW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 10/02/06
 Invoice: 57265

Date	Professional Services	Hours
09/05/06	SMD: Receive and review fax from Dean Allemand RE: payment; review file RE: same. (no charge)	0.20

TOTAL Hours 0.20

Attorney	Hours	Rate	Amount
SCOTT DENARDO	0.20	N/C	No Charge
TOTAL Current Fees			\$0.00

Current Invoice Due \$0.00

EIN: 94-2576729

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SAN FRANCISCO, CALIFORNIA 94104-6702

TEL: (415) 677-9440

FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 11/01/06
 Invoice : 60245
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 11/01/06
 Invoice: 60245

Date	Atty	Professional Services	Hours
10/04/06	SMD	Receive and review fax from Dean Allemand RE: payment. (no charge)	0.20

TOTAL Hours 0.20
 =====

Attorney	Hours	Rate	Amount
SCOTT DE NARDO	0.20	N/C	No Charge
TOTAL Current Fees			\$0.00

Current Invoice Due \$0.00
 =====

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44 MONTGOMERY STREET, SUITE 2080
 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 01/02/07
 Invoice : 60569
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 01/02/07
 Invoice: 60569

For Professional Services Rendered through 12/31/06

Date	Atty	Professional Services	Hours
12/11/06	SMD	Receive and review settlement payment copy; receive and review fax from employer RE: same; Review file and settlement agreement.	0.20

TOTAL Hours 0.20
 =====

Attorney	Hours	Rate	Amount
SCOTT DE NARDO	0.20	195.00	39.00
TOTAL Current Fees			\$39.00

Current Invoice Due \$39.00
 =====

EIN: 94-2576729

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 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 04/02/07
 Invoice : 60938
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 04/02/07
 Invoice: 60938

For Professional Services Rendered through 03/31/07

Date	Atty	Professional Services	Hours
03/31/07	SMD	Draft email to Mira Arizmendez RE: settlement payment.	0.20
TOTAL Hours			0.20

Attorney	Hours	Rate	Amount
SCOTT DE NARDO	0.20	195.00	39.00
TOTAL Current Fees			\$39.00

Current Invoice Due \$39.00
 =====

EIN: 94-2576729

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SAN FRANCISCO, CALIFORNIA 94104-6702

TEL: (415) 677-9440

FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 05/01/07
 Invoice : 61216
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 05/01/07
 Invoice: 61216

For Professional Services Rendered and Costs Advanced through 04/30/07

Date	Atty	Professional Services	Hours
04/02/07	SMD	Receive & review email from Mira Arizmendez, re: February hours; draft email to Mira Arizmendez, re: same. (no charge)	0.20
04/18/07	SMD	Receive & review (2) emails from Sandy Stephenson, re: status; phone calls (3) with Sandy Stephenson, re: same; receive & review email from Ina Gebert, re: same; review file and draft report to Trustees, re: status; conference with Dick Grosboll, re: same.	0.60
04/24/07	SMD	Review file and settlement agreement; draft letter to employer, re: delinquency.	0.60

TOTAL Hours 1.40
 =====

Attorney	Hours	Rate	Amount
SCOTT DE NARDO	0.20	N/C	No Charge
SCOTT DE NARDO	1.20	195.00	234.00

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IBEW 234 TRUST FUNDS
05/01/07
Page 2

Client: 30234.8
Matter: 806
Invoice: 61216

TOTAL Current Fees -----
\$234.00

Date	Costs Advanced	Amount
	POSTAGE	3.15

TOTAL Current Costs -----
\$3.15

Current Invoice Due \$237.15
=====

NEYHART, ANDERSON, FLYNN & GROSBOLL

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44 MONTGOMERY STREET, SUITE 2080
 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 06/01/07
 Invoice : 61376
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 06/01/07
 Invoice: 61376

For Professional Services Rendered and Costs Advanced through 05/31/07

Date	Atty	Professional Services	Hours
05/08/07	SMD	Phone call with Ina Gebert, re: delinquency report and breakdown of amounts owed; phone call with Mira Arizmendez, re: same; review file and spreadsheet delinquency breakdown; draft email to Ina Gebert, re: status; draft letter to employer, re: delinquency.	0.30
05/16/07	SMD	Phone call with Mike Bryant, re: payment and collection.	0.20
05/17/07	SMD	Receive & review email from Mira Arizmendez, re: transmittals.	0.20
05/18/07	SMD	Phone call with Dean Allemand, re: status of accounts receivable/payable; draft email to Mira Arizmendez, re: transmittals; draft email to Sandy Stephenson, re: same; draft email to Bernie Wall and Mike Bryant, re: status of ADM.	0.30
05/21/07	SMD	Receive & review email from Michael Bryant, re: status.	0.20
TOTAL Hours			1.20

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IBEW 234 TRUST FUNDS
 06/01/07
 Page 2

Client: 30234.8
 Matter: 806
 Invoice: 61376

Attorney	Hours	Rate	Amount
----- SCOTT DE NARDO	1.20	195.00	234.00 -----
	TOTAL Current Fees		\$234.00

Date	Costs Advanced	Amount
POSTAGE		2.34 -----
	TOTAL Current Costs	\$2.34
	Current Invoice Due	\$236.34 =====

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A PROFESSIONAL CORPORATION

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44 MONTGOMERY STREET, SUITE 2080
 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 07/01/07
 Invoice : 61530
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 07/01/07
 Invoice: 61530

For Professional Services Rendered and Costs Advanced through 06/30/07

Date	Atty	Professional Services	Hours
06/11/07	SMD	Review file; phone call with Mira Arizmendez, re: status; draft letter to employer, re: same; receive & review email from Ina Gebert, re: same.	0.30
06/26/07	SMD	Draft email to Health and Welfare Trustees, re: status of bankruptcy.	0.50
06/27/07	SMD	Receive & review emails (6) from Mike Bryant, Tony Kulich, Eric Tonnenson, Paul Lauesen, re: actions on collection.	0.30
06/29/07	SMD	Receive & review emails (2) from Ed Sudyka, re: JATC Actions on ADM Electric; phone call with Mira Arizmendez, re: filing of lawsuit; phone call with Joe Sholder (bankruptcy attorney), re: involuntary bankruptcy petition.	0.20
TOTAL Hours			1.30

** Continued on next page **

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IBEW 234 TRUST FUNDS
 07/01/07
 Page 2

Client: 30234.8
 Matter: 806
 Invoice: 61530

Attorney	Hours	Rate	Amount
-----	-----	-----	-----
SCOTT DE NARDO	1.30	195.00	253.50

	TOTAL Current Fees		\$253.50

Date	Costs Advanced	Amount
POSTAGE		1.38

	TOTAL Current Costs	\$1.38

Current Invoice Due	\$254.88
	=====

NEYHART, ANDERSON, FLYNN & GROSBOLL

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44 MONTGOMERY STREET, SUITE 2080
 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 08/01/07
 Invoice : 61674
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 08/01/07
 Invoice: 61674

For Professional Services Rendered and Costs Advanced through 07/31/07

Date	Atty	Professional Services	Hours
07/05/07	RKG	Prepare memo re: ADM lawsuit.	0.20
07/05/07	SDN	Receive & review email from Ed Sudyka, re: JSA; conference with Dick Grosboll, re: approval of lawsuit and JSA to Ed Sudyka.	0.20
07/27/07	SDN	Review file; phone call with Mira Arizmendez re: status; draft letter to ADM and Bonding Company; begin draft of complaint, summons and Civil cover sheet; draft email to Ina Gebert re: lawsuit.	0.60
07/28/07	SDN	Phone call with Ken Scherpinski re: status; phone calls (3) with Mira Arizmendez re: letter of assent and settlement agreement; review settlement agreement; draft complaint; draft Civil cover sheet; draft summons (2); draft memo to Clerk; review file.	5.00
TOTAL Hours			6.00

** Continued on next page **

EIN: 94-2576729

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IBEW 234 TRUST FUNDS
 08/01/07
 Page 2

Client: 30234.8
 Matter: 806
 Invoice: 61674

Attorney	Hours	Rate	Amount
DICK GROSBOLL	0.20	225.00	45.00
SCOTT DE NARDO	5.80	234.00	1,357.20
TOTAL Current Fees			\$1,402.20

Date	Costs Advanced	Amount
04/25/07	COPYING COST	4.40
05/09/07	COPYING COST	6.20
06/11/07	COPYING COST	3.40
07/30/07	FILING FEE	350.00
07/30/07	COPYING COST	4.80
	POSTAGE	12.88
TOTAL Current Costs		\$381.68
Current Invoice Due		\$1,783.88

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NEYHART, ANDERSON, FLYNN & GROSBOLL

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

44 MONTGOMERY STREET, SUITE 2080
SAN FRANCISCO, CALIFORNIA 94104-6702

TEL: (415) 677-9440

FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 09/01/07
 Invoice : 61997
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 09/01/07
 Invoice: 61997

For Professional Services Rendered and Costs Advanced through 08/31/07

Date	Atty	Professional Services	Hours
08/06/07	SMD	Phone call with Ken Scherpinski re: complaint and delinquency status.	0.20
08/07/07	SMD	Finalize complaint; draft memo to Clerk re: same.	2.00
08/09/07	SMD	Receive & review scheduling order and complaint; e-filed complaint; receive & review letter from Bonding Company re; claim; phone call with Mira Arizmendez re: same; draft email to Clerk re: complaint.	0.60
08/15/07	SMD	Phone call to Ken Scherpinski RE: complaint and service of the lawsuit.	0.20
08/16/07	SMD	Phone call with Ken Scherpinski RE: administration lawsuit.	0.20
08/21/07	SMD	Research process servers in Hollister; phone call with process server RE: service of complaint.	0.30
08/27/07	SMD	Phone call with Mira Arizmendez RE: Bond claim reconstruction of amounts owed; review file; draft letter to employer and bonding company.	0.50

** Continued on next page **

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IBEW 234 TRUST FUNDS
 09/01/07
 Page 2

Client: 30234.8
 Matter: 806
 Invoice: 61997

Date	Atty	Professional Services	Hours

TOTAL Hours			4.00
			=====

Attorney	Hours	Rate	Amount
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SCOTT DE NARDO	4.00	195.00	780.00
TOTAL Current Fees			\$780.00

Date	Costs Advanced	Amount
07/30/07	COPYING COST	4.80
08/07/07	COPYING COST	0.80
08/07/07	COPYING COST	90.80
08/09/07	COPYING COST	8.80
08/13/07	SERVICE OF PROCESS FEE	122.50
08/21/07	COPYING COST	60.00
08/21/07	COPYING COST	1.80
08/21/07	COPYING COST	4.40
08/28/07	COPYING COST	56.00
	PHOTOCOPIES	7.60
	POSTAGE	4.60
TOTAL Current Costs		\$362.10

Current Invoice Due \$1,142.10
 =====

NEYHART, ANDERSON, FLYNN & GROSBOLL

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

44 MONTGOMERY STREET, SUITE 2080
 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 10/01/07
 Invoice : 62083
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 10/01/07
 Invoice: 62083

For Professional Services Rendered and Costs Advanced through 09/30/07

Date	Atty	Professional Services	Hours
09/05/07	SMD	Receive and review executed proof of service of summons against both defendants; e-filed (2) executed proof of service of summons; receive and review (2) emails from clerk; calendar answer/default.	0.40
09/06/07	SMD	Receive and review letter from Kim Hansen RE: claim on Bond.	0.30
09/21/07	SMD	Review file; draft letter to Bonding company RE: claim status.	0.30
09/22/07	SMD	Receive and review letter from Bonding Company RE: claim status; review file; draft letter to Bonding Company RE: same; draft request for entry; draft De Nardo declaration I/S/O default entry; efiled default entry motion and declaration; receive and review (2) emails from clerk RE: same.	1.20
09/22/07	SMD	Draft letter to Mike Smith RE: payment and settlement.	0.30
09/26/07	SMD	Receive and review letter from Bonding Company; conference with Dick Grosboll RE: Bond; draft email to Dick Grosboll RE: same; receive and review email from Dick Grosboll RE: same.	0.30

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IBEW 234 TRUST FUNDS
10/01/07
Page 2

Client: 30234.8
Matter: 806
Invoice: 62083

Date	Atty	Professional Services	Hours
09/26/07	RKG	Phone call with Ken RE: ADM and Bond issues; review letters; conference with Scott.	0.30
09/27/07	SMD	Draft email to Ken Scherpinski RE: ADM employees and Bond; draft letter to Bonding Company.	0.30
09/28/07	SMD	Phone call with Ken Scherpinski RE: members as cosigners on Bond; phone call with Mira Arizmendez RE: amounts owed; receive and review email from clerk RE: entry of default; receive and review order granting default entry.	0.40
TOTAL Hours			3.80

Attorney	Hours	Rate	Amount
DICK GROSBOLL	0.30	225.00	67.50
SCOTT DE NARDO	3.50	195.00	682.50
TOTAL Current Fees			\$750.00

Date	Costs Advanced	Amount
07/30/07	COPYING COST	4.80
08/07/07	COPYING COST	0.80
08/07/07	COPYING COST	90.80
08/09/07	COPYING COST	8.80
08/21/07	COPYING COST	60.00
08/21/07	COPYING COST	1.80
08/21/07	COPYING COST	4.40
08/28/07	COPYING COST	56.00
09/04/07	SERVICE OF PROCESS FEE	60.00
09/04/07	SERVICE OF PROCESS FEE	62.50
09/20/07	COPYING COST	2.00
09/22/07	COPYING COST	4.80
09/24/07	COPYING COST	4.40
09/28/07	COPYING COST	3.80
	POSTAGE	21.55
TOTAL Current Costs		\$386.45

** Continued on next page **

IBEW 234 TRUST FUNDS
10/01/07
Page 3

Client: 30234.8
Matter: 806
Invoice: 62083

Current Invoice Due \$1,136.45
=====

NEYHART, ANDERSON, FLYNN & GROSBOLL

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ATTORNEYS AT LAW

44 MONTGOMERY STREET, SUITE 2080
 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 11/01/07
 Invoice : 62245
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 11/01/07
 Invoice: 62245

For Professional Services Rendered and Costs Advanced through 10/31/07

Date	Atty	Professional Services	Hours
10/03/07	SMD	Receive and review letter from Bonding Company RE: claim and interpleader.	0.30
10/05/07	SMD	Receive and review email from Mira Arizmendez RE: amounts owed on ADM; review spreadsheet breakdown.	0.30
10/08/07	SMD	Receive and review letter from Kim Hansen RE: Bonding Company and applications; draft email to Kim Hansen RE: same; draft letter to California State Contractor's License Board RE: Bond information.	0.30
10/14/07	SMD	Receive and review letter from Bonding Company RE: claim on Bond.	0.30

TOTAL Hours 1.20
 =====

Attorney	Hours	Rate	Amount
SCOTT DE NARDO	1.20	195.00	234.00
TOTAL Current Fees			\$234.00

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IBEW 234 TRUST FUNDS
11/01/07
Page 2

Client: 30234.8
Matter: 806
Invoice: 62245

Date	Costs Advanced	Amount
10/08/07	COPYING COST	5.40
	POSTAGE	2.46

	TOTAL Current Costs	\$7.86
	Current Invoice Due	\$241.86
		=====

NEYHART, ANDERSON, FLYNN & GROSBOLL

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

44 MONTGOMERY STREET, SUITE 2080
SAN FRANCISCO, CALIFORNIA 94104-6702

TEL: (415) 677-9440

FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 12/01/07
 Invoice : 62374
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 12/01/07
 Invoice: 62374

For Professional Services Rendered and Costs Advanced through 11/30/07

Date	Atty	Professional Services	Hours
11/07/07	SMD	Phone call with Ken Scherpinski RE: transmittals and bond issues; draft notice of declination to proceed before a Magistrate Judge; e-filed same; draft memo to clerk RE: same; receive and review email from clerk RE: same; Receive and review email from clerk RE: notice of impending reassignment.	0.30
11/08/07	SMD	Phone call from Judge Conti's clerk RE: default judgment.	0.20
11/09/07	SMD	Receive and review email from clerk RE: reassignment; receive and review order RE: reassignment; phone call with Judge Conti's clerk RE: reassignment.	0.40
11/10/07	SMD	Receive and review letter from Bonding company RE: claim status; draft request for Bond from California State Contractor's License Board.	0.40
11/21/07	SMD	Receive and review letter from California State contractor's License Board; receive and review Bond from License Board.	0.30
11/25/07	SMD	Draft letter to Bonding Company RE: claim and Bond information.	0.30

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IBEW 234 TRUST FUNDS
 12/01/07
 Page 2

Client: 30234.8
 Matter: 806
 Invoice: 62374

Date	Atty	Professional Services	Hours
11/29/07	SMD	Receive and review letter from Bonding Company RE: IBEW L. 234 member.	0.30

 TOTAL Hours 2.20
 =====

Attorney	Hours	Rate	Amount
SCOTT DE NARDO	2.20	195.00	429.00
TOTAL Current Fees			\$429.00

Date	Costs Advanced	Amount
11/07/07	COPYING COST	2.00
11/26/07	COPYING COST	14.40
	PHOTOCOPIES	25.00
	POSTAGE	9.46
TOTAL Current Costs		\$50.86

Current Invoice Due \$479.86
 =====

NEYHART, ANDERSON, FLYNN & GROSBOLL

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

44 MONTGOMERY STREET, SUITE 2080
 SAN FRANCISCO, CALIFORNIA 94104-6702
 TEL: (415) 677-9440
 FAX: (415) 677-9445

Client : 30234.8
 Matter : 806
 Date : 01/04/08
 Invoice : 62508
 Attorney: DICK GROSBOLL

IBEW 234 TRUST FUNDS
 1120 S. Bascom Avenue
 San Jose, CA 95128-3507

Attention: Sandy Stephenson

IBEW 234 TRUST FUNDS
 Re: ADM ELECTRIC

Date: 01/04/08
 Invoice: 62508

For Professional Services Rendered and Costs Advanced through 12/31/07

Date	Atty	Professional Services	Hours
12/10/07	SMD	Receive and review letter from Bonding Company RE: payment; receive and review release.	0.30
12/11/07	SMD	Draft memo to Sandy Stephenson RE: Bond Monies; draft letter to Bonding Company RE: same.	0.30
TOTAL Hours			0.60

Attorney	Hours	Rate	Amount
SCOTT DE NARDO	0.60	195.00	117.00
TOTAL Current Fees			\$117.00

Date	Costs Advanced	Amount
12/12/07	COPYING COST	3.00

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IBEW 234 TRUST FUNDS
01/04/08
Page 2

Client: 30234.8
Matter: 806
Invoice: 62508

Date	Costs Advanced	Amount
POSTAGE		0.97

	TOTAL Current Costs	\$3.97
	Current Invoice Due	\$120.97
		=====

PROOF OF SERVICE BY MAIL

I, the undersigned, declare:

I am employed in the City and County of San Francisco, State of California. I am over the age of 18 years and not a party to the within action; my business address is 44 Montgomery Street, Suite 2080, San Francisco, California 94104. On February 28, 2008, I served the within:

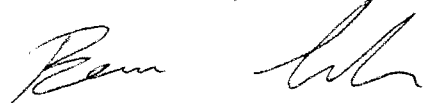
DECLARATION OF SCOTT M. DE NARDO IN SUPPORT OF MOTION FOR DEFAULT JUDGMENT AGAINST DEFENDANTS ADM ELECTRIC, INC. and G. DEAN ALLEMAND

on the parties in said cause following our business practice, with which I am readily familiar. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid. I placed a true copy of the within document enclosed in a sealed envelope with first class postage thereon fully prepaid for collection and deposit on the date shown below in the United States mail at San Francisco, California addressed as follows:

ADM ELECTRIC, INC.
2120 Santa Rosa Dr
Hollister, CA 95023

G. DEAN ALLEMAND
2120 Santa Rosa Dr
Hollister, CA 95023

I declare under the penalty of perjury that the foregoing is true and correct, and that this declaration was executed on February 28, 2008, at San Francisco, California.



Ben Lunch